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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Debtor.

Adv. Pro. No. 08-1789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

Adv. Pro. No. 10-05311 (BRL)

UBS AG, UBS (LUXEMBOURG) S.A., UBS  
FUND SERVICES (LUXEMBOURG) S.A., UBS  
THIRD PARTY MANAGEMENT COMPANY  
S.A., M&B CAPITAL ADVISERS SOCIEDAD  
DE VALORES, S.A., M&B CAPITAL  
ADVISERS HOLDING, S.A., M&B CAPITAL  
ADVISERS GESTIÓN SGIIC, S.A., JB CAPITAL  
MARKETS SOCIEDAD DE VALORES, S.A.  
(F/K/A M&B CAPITAL MARKETS SOCIEDAD  
DE VALORES, S.A.), FRANCISCO JAVIER  
BOTIN-SANZ de SAUTUOLA O'SHEA,  
GUILLERMO MORENES MARIATEGUI,  
RELIANCE MANAGEMENT (BVI) LIMITED,  
RELIANCE INTERNATIONAL RESEARCH  
LLC, RELIANCE MANAGEMENT  
(GIBRALTAR) LIMITED, LUXEMBOURG

INVESTMENT FUND AND LUXEMBOURG  
INVESTMENT FUND U.S. EQUITY PLUS, as  
represented by their Liquidators MAITRE ALAIN  
RUKAVINA and PAUL LAPLUME, MAITRE  
ALAIN RUKAVINA and PAUL LAPLUME, in  
their capacities as liquidators and representatives of  
LUXEMBOURG INVESTMENT FUND AND  
LUXEMBOURG INVESTMENT FUND U.S.  
EQUITY PLUS, and LANDMARK  
INVESTMENT FUND IRELAND,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL OF COMMON LAW CLAIMS**  
**(COUNTS TWENTY-ONE THROUGH TWENTY-SIX)**

**PLEASE TAKE NOTICE** that Irving H. Picard, Esq., as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and Bernard L. Madoff, by and through his undersigned counsel, Baker & Hostetler LLP, and pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby voluntarily dismisses without prejudice Counts Twenty-One through Twenty-Six of the Complaint for Unjust Enrichment (Counts 21, 23, and 25) and for Money Had and Received (Counts 22, 24, 26), in the above-captioned proceeding.

Dated: July 11, 2011  
New York, NY

/s/ Oren J. Warshavsky  
Oren J. Warshavsky  
Keith R. Murphy  
Melissa L. Kosack  
Sammantha Clegg  
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Bernard L. Madoff Investment Securities  
LLC and Bernard L. Madoff*